

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 6-3-03.

I. DISPUTE

Whether there should be reimbursement for CPT codes 97032, 97139AC and 99213.

II. FINDINGS

The respondent denied reimbursement based upon “E – Entitlement to Benefits, and T – Treatment Guidelines.”

III. RATIONALE

DOS	CPT CODE	Billed	Paid	EOB Denial Code	MARS (Maximum Allowable Reimbursement)	Reference	Rationale
7-8-02	99213	\$48.00	\$0.00	E, T	\$48.00	Section 408.027(d) HB-2600 CPT code descriptor	On 8-8-02 a Benefit Review Conference decision was issued by Hearing Officer ____ that found that claimant sustained a compensable injury. Therefore, EOB denial “E” was inappropriate. HB-2600 abolished the treatment guidelines; therefore, EOB denial “T” was utilized inappropriately. Service will be reviewed in accordance with MFG. Office visit report supports billed service per MFG, reimbursement of \$48.00 is recommended.
7-8-02	97139AC	\$96.00	\$0.00	E	DOP	Section 408.027 CPT code descriptor	Office visit report supports 2 areas with transauricular electro acupuncture, reimbursement of \$96.00 is recommended.
7-8-02	97032 (X3)	\$66.00	\$0.00	E	\$22.00 / 15 min		Office visit report supports 3 units with constant attendance alpha stimulation, reimbursement of \$66.00 is recommended.

TOTAL			The requestor is entitled to reimbursement of \$210.00.
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IV. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to reimbursement for CPT code(s) 99213, 97139AC and 97032 in the amount of **\$ 210.00.** Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit **\$210.00** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 16th day of April 2004.

Elizabeth Pickle
Medical Dispute Resolution Officer
Medical Review Division